

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

IN RE: PHARMACEUTICAL INDUSTRY AVERAGE WHOLESALE PRICE LITIGATION
--

MDL No. 1456
C.A. No. 01-12257-PBS

THIS DOCUMENT RELATES TO:

Judge Patti B. Saris

ALL ACTIONS

NOTICE OF INTENTION TO APPEAR AT FAIRNESS HEARING

Donald E. Haviland, Jr., Esquire and Michael P. Donohue, Esquire, hereby enter their appearances in this matter on behalf of the named consumer plaintiffs, Rev. David Aaronson, individually and on behalf of the Estate of Susan Ruth Aaronson, M. Joyce Howe, individually and on behalf of the Estate of Robert Howe, Larry Young, individually and on behalf of the Estate of Patricia Young, Therese Shepley, individually and on behalf of the Estate of James Shepley, Harold Carter, Roger Clark, on behalf of the Estate of David Clark, Ethel Walters, individually and on behalf of the Estate of Hunter Walters, Katie Bean, individually and on behalf of the Estate of Harold Bean, James Monk, Virginia Newell, individually and on behalf of the Estate of William Newell, Oral Roots, Rebecca Hopkins and George Baker Thomson. Messrs. Haviland and Donohue intend to attend and argue on behalf of their clients with regard to the Track Two Settlement at the Fairness Hearing scheduled for April 27, 2009.

The reasons for this opposition to the proposed settlement and nationwide settlement class certification are set forth in the Memorandum of Named Consumer Plaintiffs in Opposition to Approval of the Proposed Track Two Nationwide Class Certification and Settlement filed contemporaneously herewith.

Dated: March 16, 2009

/s/ Donald E. Haviland, Jr.
Donald E. Haviland, Jr., Esquire
Michael P. Donohue, Esquire
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*Counsel for Rev. David Aaronson,
individually and on behalf of the Estate of
Susan Ruth Aaronson, M. Joyce Howe,
individually and on behalf of the Estate of
Robert Howe, Larry Young, individually and
on behalf of the Estate of Patricia Young,
Therese Shepley, individually and on behalf
of the Estate of James Shepley, Harold
Carter, Roger Clark, on behalf of the Estate
of David Clark, Ethel Walters, individually
and on behalf of the Estate of Hunter
Walters, Katie Bean, individually and on
behalf of the Estate of Harold Bean, James
Monk, Virginia Newell, individually and on
behalf of the Estate of William Newell, Oral
Roots, Rebecca Hopkins and George Baker
Thomson*

CERTIFICATE OF SERVICE

I, Donald E. Haviland, Jr., Esquire, hereby certify that on March 16, 2009, I filed the foregoing Notice of Intention to Appear at Fairness Hearing Appearance with the Clerk of this Court and used the CM/ECF system to send notification of such filing to all registered person(s).

/s/ Donald E. Haviland, Jr.

*Counsel for Rev. David Aaronson,
individually and on behalf of the Estate of
Susan Ruth Aaronson, M. Joyce Howe,
individually and on behalf of the Estate of
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